

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

SIERRA CLUB, ET AL.,

Petitioners,

v.

FEDERAL ENERGY REGULATORY
COMMISSION,

Respondent.

Case No. 20-1333

(Consolidated with No. 21-1031)

**MOTION FOR LEAVE TO WITHDRAW
AND FOR SUBSTITUTION OF COUNSEL**

Respondent-Intervenor Dynegy Marketing and Trade, LLC (“Dynegy”), through its undersigned counsel of record, respectfully requests leave of the Court to withdraw Richard P. Bress as counsel for Dynegy. There is good cause for this request because Mr. Bress is retiring as a partner of Latham & Watkins LLP effective December 31, 2023.

Dynegy also respectfully requests that the Clerk of the Court enter the appearance of Eric J. Konopka of Latham & Watkins LLP as lead counsel for Dynegy in this proceeding. Mr. Konopka is a member of the bar of this Court, and his contact information is as follows:

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Dated: December 28, 2023

Respectfully submitted,

/s/ Richard P. Bress
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*Counsel for Respondent-Intervenor Dynegy
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CERTIFICATE OF COMPLIANCE

I certify that the foregoing document complies with the type-volume limitations of Federal Rule of Appellate Procedure 27(d)(2)(A) because it contains 144 words, excluding the parts exempted by Federal Rule of Appellate Procedure 32(f). I further certify that the foregoing document complies with the typeface requirements of Federal Rule of Appellate Procedure 32(a)(5) and the type-style requirements of Federal Rule of Appellate Procedure 32(a)(6) because it has been prepared in a proportionally spaced typeface using Microsoft Word 365 and 14-point Times New Roman font.

/s/ *Richard P. Bress*
Richard P. Bress

CERTIFICATE OF SERVICE

I hereby certify that on December 28, 2023, I electronically filed the foregoing document with the Clerk of the United States Court of Appeals for the District of Columbia Circuit by using the CM/ECF system. All participants in the case are registered CM/ECF users and will be served by that system.

Respectfully submitted,

/s/ Richard P. Bress
Richard P. Bress